

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

FEB 21 2007

JOHN F. CORCORAN, CLERK
BY: *J. Bright*
DEPUTY CLERK

ANDRE E. WHITE,) **Civil Action No. 7:06cv00504**
Plaintiff,)

v.

BRISTOL VA CITY JAIL, et al.,) By: **Samuel G. Wilson**
Defendants.) United States District Judge

Andre E. White brings this suit pursuant to 42 U.S.C. § 1983, claiming that defendant John Sherrill, M.D. denied him adequate medical care while he was incarcerated at Bristol Virginia City Jail.¹ Defendant Sherrill filed a motion for summary judgment and the court referred the matter to United States Magistrate Judge Michael F. Urbanski for a report and recommendation, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge subsequently filed a report, finding that plaintiff failed to present any issue of material fact and that the defendant is entitled to judgment as a matter of law and therefore recommending that the court grant the defendant's motion for summary judgment. Neither party has filed objections. Having reviewed the Magistrate Judge's Report and Recommendation and pertinent portions of the record, the court agrees with the Magistrate Judge's recommendation.

Accordingly, it is hereby **ORDERED** and **ADJUDGED** that the Magistrate Judge's Report and Recommendation is **ADOPTED** in its entirety, defendant's motion for summary judgment is **GRANTED**, White's suit is **DISMISSED**, and this matter is **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send a certified copy of this Order to the plaintiff.

ENTER: This 24st day of February, 2007.

United States District Judge

¹ By Order entered October 27, 2006, this court dismissed all of White's claims except those against Dr. John Sherrill.